

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SANDRA WHITE	:	CIVIL ACTION
	:	
v.	:	
	:	
MEDTRONIC, INC., et al.	:	NO. 16-2638

ORDER

AND NOW, this 31st day of August, 2016, for the reasons stated in the foregoing Memorandum, it is hereby ORDERED that:

(1) the motion of defendants Medtronic, Inc., Medtronic Neuromodulation, a division of Medtronic, Inc., Medtronic Puerto Rico Operations, Inc. and Medtronic Logistics, LLC to dismiss the complaint for failure to state a claim (Doc. # 6) is GRANTED with respect to plaintiff's claims for failure to warn, negligence, negligence per se, breach of implied warranty, negligent misrepresentation, and violation of Pennsylvania Unfair Trade Practices and Consumer Protection Law;

(2) the motion of defendants insofar as it seeks to dismiss plaintiff's claim for breach of express warranty with respect to the SynchroMed® II Device and the first catheter implanted on February 5, 2010 is GRANTED as the claim to this extent is untimely; and

(3) the motion of defendants to dismiss the complaint
is otherwise DENIED.

BY THE COURT:

/s/ Harvey Bartle III

J.